UNITED
NATIONS

E

Economic and Social
Council

Distr.
GENERAL

E/CN.4/Sub.2/1991/39
15 July 1991

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-third session
Item 15 of the provisional agenda

DISCRIMINATION AGAINST INDIGENOUS PEOPLES

Second working paper submitted by Mr. Asbjorn Eide and Ms. Christy Mbonu

Further suggestions for United Nations activities for the International Year for the World's Indigenous People

1. By its resolution 45/164 of 18 December 1990, the General Assembly proclaimed 1993 the International Year for the World's Indigenous People. The Sub-Commission on Prevention of Discrimination and Protection of Minorities, in its resolution 1990/29 of 31 August 1990, requested two of its members to submit a second working paper in connection with the International Year providing more specific suggestions for activities that might be carried out at the national and international levels, indicating the geographical scope and the relevant groups which should be encouraged to participate in the activities of the Year. The two Special Rapporteurs refer to their first working paper (E/CN.4/Sub.2/1990/41) which was presented to the forty-second session of the Sub-Commission. The draft programme of activities contained in the annex to the above-mentioned working paper should be retained.

Specific activities

2. The Special Rapporteurs recommend the following specific activities:

(a) Taking into consideration that indigenous peoples are diverse in their cultures and forms of social organization, the programme of activities

for the Year must reflect and respect this diversity. This can be achieved by involving indigenous people's representatives at all stages, and at all levels of the planning, implementation and evaluation of the Year;

(b) Specialized agencies, regional commissions and other relevant organizations of the United Nations system should be called upon to convene, as early as possible in 1992, a technical conference with representatives of indigenous peoples. The seminar on the effects of racism and racial discrimination on the social and economic relations between indigenous peoples and States (see E/CN.4/1989/22) suggested that indigenous people should have equal standing in United Nations technical meetings dealing with indigenous matters. The aims proposed are, inter alia:

(i) Identifying existing programme areas or capabilities which are of particular relevance and priority for indigenous peoples;

(ii) Agreeing on specific themes or objectives for special projects to be implemented in 1993 as part of the International Year;

(iii) Reviewing existing project guidelines and recommending effective means of including indigenous peoples in the initiation, design and execution of the special projects to be undertaken in 1993;

(iv) Describing appropriate procedures and criteria for the evaluation of projects involving indigenous peoples, in 1993 and thereafter;

(c) Coordination should also include, in some explicit way, the Office of the Director-General for Development and International Economic Cooperation (DIEC) in New York. As a practical matter, the DIEC coordinates United Nations operational activities in the field of development and may assist with contacts with the United Nations Development Programme, the United Nations Environment Programme, UNICEF and other appropriate agencies. There are already precedents for this in Commission on Human Rights resolution 1990/18 of 23 February 1990, and General Assembly resolution 45/97 of 14 December 1990, which request the Centre for Human Rights and DIEC to coordinate work on the right to development;

(d) Regional seminars and international conferences should be held in all the areas where indigenous peoples live. The proposed conferences and seminars would cover Latin American countries, North America, Australia, Nordic countries, and Asian and Pacific countries;

(e) The formal opening ceremonies for the International Year could be held at the beginning of the forty-seventh session of the General Assembly in September/October 1992, in New York, to give the International Year the greatest possible publicity and attention. Thus, the recommendation is that the opening ceremonies should precede the commencement of the year itself in 1993;

(f) The representatives of indigenous peoples should be involved in all stages, including the evaluation stage. Considering that, by operative paragraph five of resolution 1990/29, the Sub-Commission invited the Special Rapporteurs to evaluate the achievements made when the programme had been carried out at the end of the Year. Ways should therefore be sought to involve the Special Rapporteurs in the planning and the implementation stages.

Practical arrangements

3. In its resolution 1991/57, the Commission on Human Rights requested the Secretary-General to consider specific recommendations for the coordination and implementation of the draft programme of activities for the Year. The Secretary-General will submit a note to the Commission on Human Rights at its forty-eighth session on the practical arrangements which he anticipates would be necessary for the effective and fruitful implementation of the Year. However, in view of the short time available, the Special Rapporteurs believe it would be helpful to make some preliminary suggestions about these practical matters:

(a) As in other international years, it is recommended that the General Assembly designate a coordinator for the Year. In view of the lead taken by the Commission on Human Rights in the promotion and protection of the human rights of indigenous peoples, it would seem appropriate that the coordinator of the Year should be the Under-Secretary-General for Human Rights;

(b) If the Year is to achieve the proposed objectives set out in the first working paper and other recommendations which might be approved by the General Assembly, it would be necessary to establish a small organizational secretariat within the Centre for Human Rights. The secretariat as a preparatory body would need to stimulate system-wide the elaboration of a programme of activities for the Year and to act as a catalyst for the implementation of a programme once it is authorized by the General Assembly;

(c) The Secretary-General may also wish to make budgetary provisions for the preparaton of the Year in the draft programme budget for 1992-1993. In this regard, the Sub-Commission may wish to make recommendations which are sufficiently specific to guide the Centre for Human Rights in its activities. It should also be noted that a special fund has been opened by the United Nations for voluntary contributions from Governments, non-governmental organizations and other interested parties;

(d) Governments might also be encouraged to inform the coordinator for the Year of a contact person for the Year within the appropriate ministry dealing with indigenous peoples and also to consider the temporary loan of experts to the coordinator to assist with projects in connection with the Year.